

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

WASHINGTON ELIM PRESBYTERIAN CHURCH, SPA 98-D-049 Appl. under Sect(s). 3-403 of the Zoning Ordinance to amend SP 98-D-049 previously approved for a church to permit change in permittee and development conditions. Located at 6901 Haycock Rd., Falls Church, 22043, on approx. 1.21 ac. of land zoned R-4. Dranesville District. Tax Map 40-4 ((1)) 8C. Mr. Beyers moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on November 16, 2011; and

WHEREAS, the Board has made the following findings of fact:

1. The owner of the property is the applicant.
2. The present zoning is R-4.
3. The area of the lot is 1.21 acres.
4. The staff recommends approval, but only with the imposition of the proposed Development Conditions.
5. As the applicant's agent has indicated, they are in agreement with those development conditions.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is APPROVED with the following limitations:

1. This approval is granted to the applicant only, Washington Elim Presbyterian Church and is not transferable without further action of this Board, and is for the location indicated on the application, 6901 Haycock Road (1.21 acres), and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit plat prepared by B.C. Consultants dated, June 1998, as revised through October 23, 1998, and approved with this application, as qualified by these development conditions.
3. A copy of this special permit and the non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This special permit is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan

submitted pursuant to this special permit shall be in substantial conformance with these development conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.

5. The seating capacity of the sanctuary shall not exceed 288. There shall be a minimum of 72 parking spaces. All parking shall be on-site as shown on the special permit plat.
6. The existing vegetation, landscaping, and tree save area shall be maintained and preserved and shall be deemed to satisfy the transitional screening along the north, west and east property lines. The playground to the west of the building may remain, but may not encroach any further into the tree save area. Any dead, dying, or damaged vegetation in the transitional screening areas shall be replaced with like kind as needed to maintain the screening as determined by the Urban Forestry Branch.
7. The barrier requirements shall be waived along the east and west property lines. A six-foot high solid wood fence shall be provided and maintained along the northern property line between the limits of clearing and grading and the edge of the parking lot.
8. Interior parking lot landscaping shall be provided in accordance with the provisions of Sect. 13-106 of the Zoning Ordinance.
9. Any existing lighting of the parking lot shall not be increased in height and the lights shall be of a design which focuses the light directly on the subject property and shields shall be installed, if necessary, to prevent the light from projecting beyond the facility.
10. All signs on the property shall be provided in accordance with the requirements of Article 12, Signs, of the Zoning Ordinance.
11. Reflective markers shall be permanently installed on the entrance gate.
12. The dumpster shall be removed from the site, unless the applicant demonstrates that sufficient parking exists on site to accommodate the dumpster. If retained, the dumpster must be screened to meet Zoning Ordinance requirements.
13. Uneven areas of the parking lot shall be smoothed/repaved to prevent tripping hazards and maintain a well-kept appearance.
14. The locations of the shed and play area shall be generally as shown on Attachment 1 of the development conditions.

These development conditions incorporate and supersede all previous development conditions. This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished. The applicant may not obtain the Non-Residential Use Permit before achieving compliance with the conditions listed above.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six (6) months after the date of approval unless a new Non-Residential Use Permit has been obtained. The Board of Zoning Appeals may grant additional time to obtain a new Non-Residential Use Permit if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Mr. Hammack seconded the motion, which carried by a vote of 6-0. Mr. Beard was absent from the meeting.